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**INTELLECTUAL PROPERTY & STANDARDS**  
**370 W. TRIMBLE ROAD MS 91/MG**  
**SAN JOSE CA 95131**

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**FEB 29 2008**

**OFFICE OF PETITIONS**

In re Application of	:	
Dekker et al.	:	
Application No. 10/561,532	:	DECISION ON PETITION
Filed: December 19, 2005	:	
Attorney Docket No. NL02 1153 US	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed January 29, 2008, to revive the above-identified application.

The petition is **GRANTED**.


The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an Amendment, (2) the petition fee, and (3) a proper statement of unintentional delay.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$2230.00 extension of time fee submitted on January 7, 2008 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account as authorized.

Further, the \$1540.00 was submitted twice. Accordingly, \$1540.00 will also be credited to petitioner's deposit account as authorized.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206.

This matter is being referred to Technology Center 2815 for further examination on the merits.

  
Liana Walsh  
Petitions Examiner  
Office of Petitions